

PROB 12B  
(7/93)

**United States District Court**

**for the**

**Eastern District of Washington**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
SEP 05 2013  
SEAN F. McAVOY, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

Name of Offender: Andrew P. Yancey

Case Number: 0980 2:09CR00015-011

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, United States District Judge

Date of Original Sentence: July 14, 2010

Type of Supervision: Term Of Supervised Release

Original Offense: Knowingly or Intentionally Using a  
Communication Facility in Committing or in Causing  
or Facilitating the Commission of a Title 21 Drug  
Felony Offense, 21 U.S.C. § 843(b)

Date Supervision Commenced: October 5, 2012

Original Sentence: Prison - 40 Months  
TSR - 12 Months

Date Supervision Expires: October 4, 2013

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

19. You shall complete 25 hours of community service work, at the rate of not less than 25 hours per month at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed in full no later than October 4, 2013.

**CAUSE**

On August 24, 2013, Mr. Yancey was arrested for driving while under the influence in Spokane Valley, Washington. Mr. Yancey was speeding when he was stopped by the Washington State Patrol. He provided a voluntary breath sample which showed a reading of .175. Mr. Yancey contacted this officer on Monday, August 26, 2013, to notify of the new arrest. Mr. Yancey's next court hearing in state court is scheduled for September 25, 2013. Mr. Yancey immediately made contact with Adept Assessment-Treatment Center and re-enrolled himself in intensive outpatient treatment. This program requires him to attend substance abuse classes three times a week for three hours a day. Mr. Yancey will lose his driver's license. He will be applying for a temporary interlock device in order to allow him to continue with work, attend court and treatment. Mr. Yancey's mother will be undergoing surgery to remove her tonsils on September 9, 2013, prior to her departure to the Phillipines. Mr. Yancey originally intended to join his parents in the Phillipines once he was off supervised release. He will not be able to accompany his parents due to the state court process on this pending offense. He will most likely be required by the state to complete a treatment program. Mr. Yancey has agreed to perform 25 hours of community service in order to allow his Federal supervision to terminate on October 4, 2013. This would appear to be an appropriate sanction for committing a new offense, as the state court system will be holding Mr. Yancey accountable.

Prob 12B

**Re: Yancey, Andrew P.**

**September 4, 2013**

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Respectfully Submitted,

by s/Anne L. Sauther

Anne L. Sauther

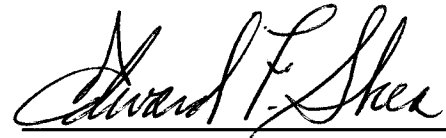
U.S. Probation Officer

Date: September 4, 2013

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THE COURT ORDERS

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other



Signature of Judicial Officer

9/5/13

Date

# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

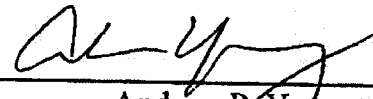
- 19 You shall complete 25 hours of community service work, at the rate of not less than 25 hours per month at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed in full no later than October 4, 2013.

Witness:



Anne L. Sauther  
U.S. Probation Officer

Signed:



Andrew P. Yancey  
Probationer or Supervised Releasee

8/4/13

Date